

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

| | | |
|---------------------------------------|---|-------------------|
| ----- | X | |
| | : | |
| IN RE SEPTEMBER 11 LITIGATION | : | 21 MC 101 (AKH) |
| | : | |
| ----- | X | |
| WORLD TRADE CENTER PROPERTIES LLC, et | : | |
| al., | : | |
| | : | |
| Plaintiffs, | : | 08 CIV 3719 (AKH) |
| | : | |
| v. | : | |
| | : | |
| UNITED AIRLINES, INC., et al., | : | |
| | : | |
| Defendants. | : | |
| ----- | X | |
| WORLD TRADE CENTER PROPERTIES LLC, et | : | |
| al., | : | |
| | : | |
| Plaintiffs, | : | 08 CIV 3722 (AKH) |
| | : | |
| v. | : | |
| | : | |
| AMERICAN AIRLINES, INC., et al., | : | |
| | : | |
| Defendants. | : | |
| ----- | X | |

**NOTICE OF RENEWED MOTION FOR COLLATERAL SETOFF AGAINST WTCP'S CLAIMS
PURSUANT TO N.Y. CPLR 4545(c) AND FOR SUMMARY JUDGMENT DISMISSING
WTCP'S DAMAGES CLAIMS**

PLEASE TAKE NOTICE THAT, upon the accompanying Memorandum of Law, the Statement of Undisputed Facts Pursuant to Local Rule 56.1, and the Declaration of Desmond T. Barry, Jr., dated November 9, 2011 and all of the exhibits thereto, the Aviation Defendants¹ will

¹ The Aviation Defendants joining in this Motion are American Airlines, Inc.; AMR Corporation; United Air Lines, Inc.; United Continental Holdings (f/k/a UAL Corporation); US Airways, Inc.; US Airways Group, Inc.; Colgan Air, Inc.; Delta Air Lines, Inc.; Continental Airlines, Inc.; Globe Aviation Services Corporation; Huntleigh USA Corporation; The Boeing Company; and Massachusetts Port Authority.

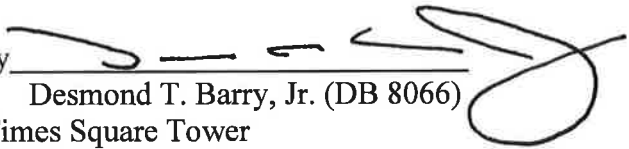
move this Court for an Order, pursuant to Fed. R. Civ. P. 56 and N.Y. CPLR § 4545(c), that the insurance recoveries received by WTCP² collaterally offset all of WTCP's damages allegedly incurred in connection with the reduction in value of its net leasehold interests in World Trade Center Buildings One, Two, Four and Five and for summary judgment dismissing all such damage claims as a matter of law.

This motion will be heard at a date and time to be scheduled by the Court.

Dated: New York, New York
November 9, 2011

Respectfully submitted,

CONDON & FORSYTH LLP

By 
Desmond T. Barry, Jr. (DB 8066)

Times Square Tower
7 Times Square
New York, New York 10036
Tel.: (212) 490-9100
Fax: (212) 370-4483

Aviation Defendants' Liaison Counsel

² "WTCP" and "WTCP Plaintiffs" refer to World Trade Center Properties LLC, 1 World Trade Center LLC, 2 World Trade Center LLC, 4 World Trade Center LLC, and 5 World Trade Center LLC. These entities are affiliated with Silverstein Properties, Inc.